

California Regional Water Quality Control Board
Santa Ana Region

June 24, 2005

ITEM: 19

SUBJECT: Status of Efforts to Require Suspected Dischargers to Investigate
Perchlorate Pollution in the Rialto, Colton and Chino Groundwater
Subbasins

DISCUSSION:

Pursuant to Section 13267 of the California Water Code, the Executive Officer has issued a total of twenty-two Investigation Orders to suspected dischargers and property owners and, pursuant to Section 13304 of the California Water Code, the Board issued two Cleanup and Abatement Orders to four dischargers and property owners and the Executive Officer issued one Cleanup and Abatement Order to one discharger.

The following is a summary of activities that have occurred since the last status report:

Pyro Spectaculars, Inc. (Pyro), Whittaker Corporation (Whittaker) and Thomas O. Peters/Thomas O. Peters Revocable Trust (Peters) - Cleanup and Abatement Order (CAO) No. R8-2004-0042

On February 1, 2005, the Assistant Executive Officer sent letters to Whittaker, Pyro and Thomas O. Peters, providing comments on Whittaker and Pyro's investigation reports and requiring additional work to be performed. Whittaker was required to conduct a deeper soil investigation and Pyro and Thomas O. Peters were required to install groundwater monitoring wells. Whittaker, Pyro and Thomas O. Peters were required to submit work plans for this additional work by March 7, 2005.

Beginning in February 2005, the attorneys for Thomas O. Peters and Pyro have requested, and have received, extensions to allow for on-going discussions with the County of San Bernardino to develop a cooperative approach to address the Regional Board's concerns, and to determine if the results of the recent Whittaker investigation will have an influence on the additional work that will be necessary. Board staff met with representatives of Pyro, Thomas O. Peters and the County on May 6 to discuss the status of their discussions. The County, Pyro and Thomas O. Peters representatives will continue discussions and Board staff will meet with the parties again following submittal and review of the investigation results of the recent additional soil investigation conducted by Whittaker.

Whittaker submitted its work plan on March 8, has completed the additional soil investigation, and is expected to submit its investigation report in mid-June 2005.

Pyro Spectaculars, Inc. (Pyro)

Pyro submitted a report on its initial soil investigation of its former burn pit site (not located on the 5-acre property subject to the CAO described above) in April 2005. The report shows that perchlorate was found in soil at the highest concentrations found to date in soil in the North Rialto area. The highest concentrations of perchlorate found in this investigation were found in soil samples obtained from a boring drilled through the concrete base (15 feet by 15 feet) of the burn pit. Perchlorate was found at concentrations of 205,000 ug/kg at a depth of 15 feet and 106,000 ug/kg at a depth of 20 feet (the total depth of the boring). Board staff is evaluating the role that parties in addition to Pyro may have had regarding discharges of waste to the burn pit before requesting further investigation.

County of San Bernardino - CAO No. R8-2003-0013

The County has completed installation of four new monitoring wells near City of Rialto Well No. 3, where the perchlorate treatment plant is being constructed. The treatment plant, which will be capable of treating water extracted from Rialto Well No. 3, is expected to be fully operational by September 30, 2005. The installation of six proposed extraction wells, to provide plume containment immediately upgradient of Rialto Well No. 3, and connection of those wells to the treatment plant, is not expected to occur until January 31, 2006. The CAO requires the County to take all actions necessary to provide replacement water for Rialto Well No. 3 by April 1, 2005. However, the City has not needed the water from Rialto Well No. 3 since late last year. The County and the City are in the process of finalizing an agreement that will provide for the County to purchase replacement water needed by the City prior to completion of the treatment system.

Goodrich Corporation

In 2004, Goodrich completed four monitoring wells at its former B.F. Goodrich facility, under the direction of USEPA. A report on the results of the groundwater investigation was submitted in March 2005. Board staff met with Goodrich on May 23 to discuss the need for further groundwater investigation downgradient of Goodrich's former facility and the appropriate scope of that investigation. Goodrich agreed to submit a work plan for additional investigation by June 23.

Emhart Industries, Inc./Black & Decker (former West Coast Loading Corporation)

On February 28, 2005, the Executive Officer issued a cleanup and abatement order to Emhart and Black & Decker (U.S.), Inc. to preserve the Regional Board's claim against Emhart, which filed for dissolution in Connecticut in 2002. Emhart has requested a Board hearing on this matter, and staff will work with the Board to schedule appropriate dates for such a hearing.